

GOVERNMENT OF TELANGANA
ABSTRACT

Public Services – CAF&CS Dept. - Allegation of irregular appointment of Sri P. Ravinder as Manual Assistant in Legal Metrology department, Adilabad district in violation of G.O.Ms.No.610, G.A. (SPF.A) Dept., dt.30.12.1985 r/w Presidential Order - Departmental Proceedings instituted against Sri U. Vimal Babu, the then ACLM, Karimnagar, presently working as Regional Deputy Controller, HQ, Hyderabad, under Rule-20 of the Telangana Civil Services (Classification, Control and Appeal) Rules'1991 – Articles of charges - Issued.

CONSUMER AFFAIRS, FOODS & CIVIL SUPPLIES (CS.II) DEPARTMENT

G.O.Rt.No.43.

Dated:9.12.2021

Read:

O R D E R:

It is proposed to hold an enquiry against Sri U. Vimal Babu, the then ACLM, Karimnagar, presently working as Regional Deputy Controller, HQ, Hyderabad, in accordance with the procedure laid down in Rule 20 of the Telangana Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The statement of articles of charges and statement of imputations of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed Annexure-I & II. A list of documents by which and a list of witnesses by whom, the articles of charges proposed to be sustained are also enclosed at Annexure III & IV.

3. Sri U. Vimal Babu, the then ACLM, Karimnagar, presently working as Regional Deputy Controller, HQ, Hyderabad, is directed to submit his written Statement of defense, within 10 days from the date of receipt of this order.

4. Sri U. Vimal Babu, the then ACLM, Karimnagar, presently working as Regional Deputy Controller, HQ, Hyderabad, is informed that an inquiry will be held only in respect of the those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri U. Vimal Babu, the then ACLM, Karimnagar, presently working as Regional Deputy Controller, HQ, Hyderabad, is further informed that if he does not submit his written statement of defense on or before the date specified in para-3 above, further will be processed based on the material available.

6. Attention of Sri U. Vimal Babu, the then ACLM, Karimnagar, presently working as Regional Deputy Controller, HQ, Hyderabad, is invited to Rule 24 of the Telangana Civil Services (conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings it will be presumed that Sri U. Vimal Babu, the then ACLM, Karimnagar, presently working as Regional Deputy Controller, HQ, Hyderabad, is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Telangana Civil Service (Conduct) Rules, 1964.

7. The Controller of Legal Metrology, Telangana, Hyderabad is directed to make available the documents related to the case, for perusal to the above said Sri U. Vimal Babu, the then ACLM, Karimnagar, presently working as Regional Deputy Controller, HQ, Hyderabad, if he chooses so, on his written representation, within the stipulated time.

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8. The receipt of the G.O. shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

**V. ANIL KUMAR
EX-OFFICIO SECRETARY TO GOVERNMENT**

To

Sri U. Vimal Babu, the then ACLM, Karimnagar,
presently working as Regional Deputy Controller, HQ, Hyderabad,,
through the CLM, TS, Hyd.

The Controller of Legal Metrology, Telangana, Hyderabad.

Copy to:

The General Administration (V&E) Dept, Telangana, Hyderabad.

(W.r.t. V.R.No. 72 (C.No.1900/V&E/D3/2020),dated.5-8-2021)

SC

// FORWARDED BY ORDER //

SECTION OFFICER

ANNEXURE - I

Statement of articles of charge framed against Sri U. Vimal Babu, the then Assistant Controller of Legal Metrology (I/c), Karimnagar, presently working as Regional Deputy Controller, Hqrs, Hyderabad.

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Article No.I:

That the said Sri U. Vimal Babu, RDCLM, Hqrs, Hyderabad, while working as ACLM (I/c), Karimnagar, he had failed to follow the instructions issued vide GO. Ms. No.595, Industries and Commerce(SPF)Department dated 28.6.1976 and GO Ms.No.610 GAD(SPF-A)Dept dt 30.12.1985 and appointed illegally a non-local candidate Sri.P.Ravinder S/o Narsaiah Native of Avunoor Village of Musthabad Mandal of erstwhile Karimnagar District as Manual Assistant in Legal Metrology Department in Adilabad District against backlog vacancy earmarked for SC Candidate of Adilabad District which is violation of discharging his legitimate duties and contravened Rule (3) of TSCS(Conduct) Rules, 1964.

Thus the charge.

Article.No.II:

That the said Sri U. Vimal Babu, RDCLM, Hqrs, Hyderabad, earlier while working as ACLM (I/c), Karimnagar, he had failed to perform public duty properly honestly and misused his official position and has taken undue advantage and appointed in-eligible candidate as Manual Assistant for personal favour, which is grave misconduct under Rule 3 of TSCS(Conduct) Rules, 1964

By his above mentioned acts he has exhibited lack of integrity devotion and dedication towards his legitimate duties and thereby contravened Rule 3 of TSCS(Conduct) Rules, 1964.

Thus the charge.

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ANNEXURE - II

Statement of imputations in support of the articles of charge framed against Sri U. Vimal Babu, the then ACLM (I/c), Karimnagar, presently working as Regional Deputy Controller, HQ, Hyderabad.

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Basis of the charges :

Article No.I:-

The V&E officials have conducted detailed enquiry on the complaint petition filed in the name of Sri Ch. Premasagar, Inspector, LM(Retd) on the following allegations, and submitted vigilance report No. 72(C.No.1900/V&E/D3/2020 dated 5.8.2021

Allegations:-

1. Sri U. Vimal Babu, Regional Deputy Controller, Legal Metrology Department formerly I/c ACLM, Karimnagar has irregularly appointed Sri P. Ravinder as Manual Assistant now Technical Assistant native of Karimnagar District in Adilabad District in violation of GO Ms.No.610 though the post of Tech Asst is a District Cadre post
2. Sri P. Ravinder is appointed in the Adilabad District by submitting false information on his nativity and work experience certificate and he is liable for termination from Govt services on the following grounds:
 - a. Non submission of nativity certificate of Adilabad District issued by competent authority such as Mandal Revenue Officer submission of false information on his nativity.
 - b. Creation of fake work experience certificate in the name of M/s. Balaji General Engineering work, H.No.8-7-31, Kothirampur, Karimnagar which is not existed there is no relation of the firm on the weight and measures subject.
 - c. He belongs to Karimnagar Dist but appointed in Adilabad Dist which is against to the GO Ms.No.610 and presidential order 1979 and GO Ms.No.595 dt 28.6.1976.
 - d. The Hon'ble APAT also not issued any specific orders for his appointment to the post of Technical Asst. His name was not sponsored by the District Employment Exchange.
 - e. The candidates who were sponsored by the employment exchange have got highest marks than Sri P. Ravinder in interview but they are denied for selection. He was appointed in SC Women Point as per Roaster Point.
 - f. Sri Vimal Babu has created backlog vacancy only for appointment of Sri P. Ravinder. The roaster register of appointments in Adilabad District clearly shows that appointment of Technical Posts filled up to 1993 as per rules. Sri Vimal Babu raised in the year 2000 that there is backlog vacancy with ill motive and appointed Sri P. Ravinder as Manual Assistant violating the Govt orders and Hon'ble APAT orders.

V&E Findings:-

1. The Controller, Legal Metrology, Hyderabad after series of correspondence accorded permission to the ACLM, Karimnagar to fill up the backlog vacancy of Manual Assistant post of 1978 in Adilabad District which comes under SC community by following Rota/Quota Rules inforce as on date.
2. Sri U. Vimal Babu, B.Tech the then I/c ACLM, Karimnagar has addressed the Employment Officer, Bellampalli, Adilabad District vide Lr No. 130/E/2000 dt 6.7.2000 with a request to sponsor 20 candidates for filling of (1) backlog Manual Assistant post in Adilabad District which is reserved for SC Category.
3. Again on 6.8.2000 Sri U. Vimal Babu, B.Tech, I/c ACLM, Karimnagar addressed a reminder letter vide Lr No. 130/E/2000 dt 6.8.2000 to the Employment Officer, Bellampalli, Adilabad District with a request to send the list of candidates, but not mentioning about number of candidates.
4. The District Employment Officer, Dist Employment Exchange, Bellampalli vide Lr No. 2000/0011/01, dt 2000/08/09 furnished a list containing 20 eligible candidates to the Assistant Controller, Legal Metrology, Karimnagar for the Manual Assistant post. But on verification of the abridged list enclosed with the letter the name of Sri P. Ravinder is entered at Sl.No.21 manually with employment registration No. A2/200/01221 Seniority from 12.7.2000. Thus the individual is not enrolled in employment exchange neither on the date of notification nor on the date of calling 20 candidates for the first time. Sri U. Vimal Babu the then Asst Controller(Legal Metrology), Karimnagar again called the candidates list without mentioning the no. of required candidates with an intention to do favour to Sri P. Ravinder.
5. As per caste certificate issued by MRO, Mustabad vide C/1874/98 Sri P. Ravinder S/o Narsaiah is native of Avunur Village of Mustabad Mandal of erstwhile Karimnagar District and belongs to SC(Mala) Caste and his date of birth is 10.10.1973. He has passed SSC Examination in March 1989 from ZP High School, Avunoor, Siricilla. Even then Sri P. Ravinder has enrolled himself in employment exchange Bellampally as showing his address as H.No.211.A zone P.O. Ramakrishnapur, Mdl Mandamarri and took employment card with Registration No. A2/2000/01221, dt 12.7.2000.
6. Sri U. Vimal Babu I/c Assistant Controller, Legal Metrology, Karimnagar has addressed a letter to the Employment officer, Bellampalli on 6.7.2000 for sponsoring list of 20 SC candidates for filling Manual Assistant post. Meanwhile the candidate Sri P. Ravinder enrolled his nativity registration in Bellampally Employment Exchange Office on 12.7.2000. Later on 6.8.2000 Sri U. Vimal babu, I/c ACLM, Karimnagar has again addressed a letter to the Employment Exchange officer, Bellampalli without mentioning number of candidates for allotment of Manual Assistant recruitment. It is clearly established that he has intentionally helped the candidate Sri P. Ravinder for approaching the Hon'ble Court and enrollment in Bellampalli Employment Exchange Office.

7. The Hon'ble APAT in OA No. 4563/2000 has issued orders dt 28.7.2000 with a direction " to permit the applicant(Sri P.Ravinder) to appear for interview for the post of Manual Assistant along with other candidates sponsored by the employment exchange provided the applicant is otherwise eligible and suitable for such post and if the selection process has not been completed as on today". But Sri U.Vimal Babu, I/c ACLM, Karimnagar without proper verification of documents, certificates produced by Sri P. Ravinder issued appointment orders to him vide Procs No. 130/E/2000 dt 26.8.2000 as Manual Assistant in O/o. Inspector, Legal Metrology, Mancherial in guise of court orders.
8. It is evident from the versions of the Proprietors of Balaji Engineering Works, Karimnagar and Commissioner, Kyathanpally Municipality, Mancherial District Sri P. Ravinder has created false experience certificate and false local address and gained appointment in Legal Metrology Department.
9. In-terms of G.O.Ms.No.193, Education (Employment) Department, dt 27.6.1994 employment exchanges are not responsible for the correctness of the certificates and it is entirely the responsibility of the candidates to prove their genuiness to the employers and the employers shall satisfy themselves of the genuineness of the certificates before appointing the candidates. In the instant case the individual being the appointing authority has not exercised properly which clearly shows that he has intentionally took the side of Sri P. Ravinder and irregularly appointed him in the post which is earmarked for local candidate of Adilabad District hailing from SC Category.
10. It is established that, Sri P.Ravinder was appointed as Manual Assistant in Legal Metrology Department by Sri U. Vimal Babu the then I/c ACLM, Karimnagar in violation of GO Ms.No. 595 Industries and Commerce (SPF) Department dt 28.6.1976 & G.O.Ms.No.610 General Administration (SPF-A)Dept dated 30.12.1985.
11. It is established that, Sri U. Vimal babu, the then I/c ACLM, Karimnagar has colluded with Sri P. Ravinder, S/o Narsaiah, N/o Avunuru Village of Musthabad Mandal of Karimnagar District(erstwhile) and appointed him as Manual Assistant in the year 2000 in Legal Metrology Department which was reserved for SC candidate of Adilabad District.
12. Sri P. Ravinder was repatriated from Non Local area i.e., Adilabad to local area i.e., Karimnagar vide Controller, LM, AP, Hyd Procs No. 10597/E2/2007 dated 30.6.2007 as implementation of G.O.610. General Administration(SPF-A)Dept dt 30.12.1985. Sri P. Ravinder was recruited as local candidate of Adilabad District in a post which is purely reserved for local candidate of Adilabad Dist and his transfer was done from Adilabad to Karimnagar on basis that he is non local. From the above instances, it is clearly established that he has colluded with Sri U. Vimal Babu, the then I/c ACLM, Karimnagar and illegally took the appointment as Manual Assistant which is local post of Adilabad District though he is a non-native of Adilabad District. The individual has gained two contradictory benefits i.e., recruitment and transfer.

13. It is established that Sri U. Vimal Babu, has misused his official position and colluded with Sri P. Ravinder S/o. Narasaiah and illegally appointed Sri P. Ravinder by taking undue advantage.

The V&E Department in their report have stated that the V&E officials have obtained information from O/o. ACLM, Karimnagar, O/o. District employment Officer, Employment Exchange, Bellampalli & O/o. Municipal Commissioner, Mandamarri, Mancherla District and verified the obtained material and examined the concerned individuals and conducted enquiry on the verifiable allegations.

The V&E officials have verified about the whereabouts of Sri Ch.Premasagar, ILM(Complainant) and it is learnt that the individual is expired on 24.12.2020 at Nampapur(V), Peddapalli(M&D).

The officials have also recorded/obtained the statements/ versions of Sri Vasam Vijay Kumar, S/o Laxminarayana and Sri Aachi Yadagiri, S/o Venkatacharyulu and on the identified lapses the versions of the erring individuals i.e. Sri U. Vimal Babu, RDCLM, Hqrs, Hyd formerly I/c ACLM, Karimnagar and P. Ravinder, Occ: Inspector, Karimnagar.

Further the V&E officials have found that the version of Sri U. Vimal Babu, RDCLM, Hqrs that the Govt has considered the non-local issue and passed orders repatriating Sri P. Ravinder to his respective local units vide G.O.Rt.No.77, dt 30.6.2007 of CA,F&CS(CS.II)Dept r/w Proc No. 10597/E2/2007 dt 30.6.2007 of the CLM, Hyd after examining his local status and the individual covered under 20% non local quota is not at all acceptable as his version is silent as how a non-local candidate is appointed against a post which is clearly a local post of Adilabad District. As per Controller, Legal Metrology Memo No. 3/E/99 dt 4.1.2000 the Manual Assistant post is a district cadre post in Adilabad District carried from 1978 reserved for SC Candidate. But the individual has appointed a non local candidate who is native of Karimnagar(erstwhile) District. Further his version that, he was an additional assignment for the post of Asst Controller, LM Karimnagar that too for a short period hence has no record to say whether any counter is filed or not on the petition of Sri P. Ravinder is not at all acceptable as he has worked as I/c ACLM, Karimnagar from 1.2.2000 to 30.11.2001 for a period of 22 months, the notification and selection process completed in his tenure period and he only appointed Sri P. Ravinder as Manual Asst and issued appointment orders on 26.8.2000. Moreover, he addressed a letter to the Employment Officer, Bellampally on 6.7.2000 for sponsoring list of 20 candidates for filling Manual Asst post. Meanwhile, the candidate Sri P. Ravinder, enrolled his nativity registration in Bellampally Employment exchange office on 12.7.2000, later on 6.8.2000 Sri U. Vimal Babu again addressed a letter to the Employment exchange officer, Bellampalli without mentioning number of candidates for allotment of Manual Assistant recruitment. It is clearly established that he has intentionally helped the candidate Sri P. Ravinder, for approaching the Hon'ble Court and enrollment in Bellampalli Employment exchange office.

From the above it is evident that while performing his duties as I/c ACLM, Karimnagar without following the Govt. orders he has abused his official position with a malafide intention and appointed an ineligible candidate for the post of Manual Asst.

His above action clearly indicates that he misused his official position and neglected his legitimate duties and also violated the Govt Orders and also instructions of the Controller, LM issued vide Memo No. 5217/E2/2000, dt. 6.5.2000; 27.5.2000 & 29.6.2000 which is unbecoming of a Govt. Servant and also amounts to grave misconduct which is clear violation under Rule 3 of TSCS(Conduct) Rules, 1964 punishable under CCA Rules.

Hence the charge.

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Article II:-

In continuation of the facts mentioned above, further to inform that Sri U. Vimal Babu, RDCLM, Hqrs, Hyderabad formerly I/c ACLM, Karimnagar without proper verification of the documents submitted by Sri P. Ravinder at the time of appointment for the post of Manual Assistant in Legal Metrology Department viz., Caste, Nativity & Date of Birth Certificate, Work Shop Experience certificate, study certificate which are all pertaining to the Karimnagar Dist. But the employment registration pertains to Adilabad District. In terms of G.O.Ms.No.193 Education(Employment) Dept dt. 27.6.1994 employment exchanges are not responsible for the correctness of the certificates and it is entirely the responsibility of the candidates to prove their genuineness to the employers and the employers shall satisfy themselves of the genuineness of the certificates before appointing the candidates. In the instant case the individual being the appointing authority has not exercised properly which clearly shows that he has intentionally took the side of Sri P. Ravinder and irregularly appointed him in the post which is earmarked for local candidate of Adilabad District hailing from SC category.

From the above it is evident that while performing his duties as I/c ACLM, Karimnagar he misused his official position and colluded with Sri P. Ravinder, S/o Narasaiah and illegally appointed Sri P. Ravinder by taking undue advantage amounts to grave misconduct which is clear violation under Rule 3 of TSCS(Conduct) Rules, 1964.

Thus the charge.

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ANNEXURE - III

List of documents by which the articles of charge framed against Sri U. Vimal Babu, the then ACLM (I/c), Karimnagar, presently working as Regional Deputy Controller, HQ, Hyderabad are proposed to be sustained.

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From the GA(V&E) Dept, V.R.No. 72(C.No1900/V&E/D3/2020), dt:5.8.2021.

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ANNEXURE – IV

List of witnesses by whom the articles of charge framed against Sri U. Vimal Babu, the then ACLM (I/c), Karimnagar, presently working as Regional Deputy Controller, HQ, Hyderabad are proposed to be sustained.

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-NIL-

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